

REMARKS

I. THE AMENDED CLAIMS ARE BELIEVED TO BE DEFINITE UNDER §112 AND COMPLIANT WITH 35 USC §101

Claims 1 - 20 have been amended to cure any alleged failure to comply with 35 U.S.C. §101 and § 112 rejections. Specifically, Claim 1 was amended to eliminate the term “connectable” as required by the Examiner and substituting “adapted to communicate.” It should be noted that courts have approved the use of “adapted to” as providing structural limitations. *See In re Venezia*, 189 U.S.P.Q 149, 151-152 (C.C.P.A. 1976) (“Rather than being a mere direction of activities to take place in the future, this language [“adapted to”] imparts a structural limitation . . .”). The court in *In re Venezia* stated that there is “nothing wrong in defining the structures of the components . . . in terms of the interrelationship of the components.” *Id.* at 152.

In claim 1, the element “the sub-type data field, a sub-type data field designating the link-layer address protocol” was changed to “a sub-type data field, the sub-type data field designating the link-layer address protocol”, as suggested by the Examiner.

Claims 1, 9, and 17 were amended to claim “any one of a plurality of message types...” as suggested, in part, by the Examiner.

Claim 17 was further amended to claim “the node being adapted to receive an information packet” which is believed to overcome the § 101 rejection by claiming a physical component rather than a data structure, as suggested by the Examiner.

II. CONCLUSION

The amended claims correct the alleged deficiencies noted in the §101 and § 112 rejections. Each specific noted deficiency has been responded to by amending the claims to eliminate the claim language or add claim language suggested by the Examiner. It is believed that the rejections have been overcome by the present response and that the pending claims 1-20 are allowable.

A one-month extension of time to respond to the Office Action is respectfully requested, and the proper fee is enclosed with the extension of time request. It is believed that no additional fees are necessary for this filing. If additional fees are required for filing this response, then the appropriate fees should be deducted from D. Scott Hemingway's Deposit Account No. 501,270.

Respectfully submitted,



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